

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

VALENTINO FACEY,

Plaintiff,

v.

**ANTHONY MENDONSA and
SGT. R. RAYMOND,**

Defendants.

Civil Action No. 1:11-10680-MLW

JOINT MOTION FOR PROTECTIVE ORDER REGARDING CORI MATERIAL

Plaintiff Valentino Facey ("Plaintiff") and Defendants Anthony Mendonsa and Sgt. R. Raymond (together, "Defendants") respectfully request that the Court enter the following Protective Order Regarding CORI Material:

1. In connection with discovery furnished in the above-captioned action (the "Action"), all documents providing the names and cell assignments of inmates or containing or reflecting confidential information under the Criminal Offender Record Information statute, Mass. Gen. Laws c. 6, § 172 (hereinafter "protected discovery materials") provided by Defendants to Plaintiff or his Counsel in connection with this case shall be used solely for good faith preparation and prosecution of this case.

2. Protected discovery materials (and any information contained therein or derived therefrom) may be disclosed or made available by the parties only to the following:

- (a) The Court (including the Court's administrative and clerical staff).
- (b) Attorneys of record in the Action, as well as the lawyers, paralegals, clerical, and secretarial staff employed by and working for such attorneys on this case.
- (c) The parties.
- (d) Outside vendors that perform microficheing, photocopying, computer classification, or similar clerical functions.

ALWAYS
modified

and so ordered, as
on page 2.

Wey. J. J. Sept. 30, 2013

- (e) Court reporters transcribing depositions in the Action.
- (f) Any deposition, trial, or hearing witness in the Action.
- (g) Any expert witness or consultant, which shall be defined to mean a person who has been retained by one of the parties in good faith to serve as an expert witness or consultant (whether or not retained to testify at trial) in connection with this Action, including any person working directly under the supervision of any such expert witness or consultant.

3. Protected discovery materials and information contained therein or derived therefrom shall not be disclosed to any person except in accordance with this Order and shall be used by the persons receiving them only for the purposes of preparing for, conducting, and/or participating in the conduct of this Action only, and not for any other business, legal, professional, personal, or other purpose whatsoever. Nothing in this Order shall in any way affect the admissibility or use at trial or hearings in this action of documents designated as protected discovery materials.

4. Nothing in this Order shall be construed as preventing any person from continuing to use any information that is in the public domain or that subsequently becomes a part of the public domain other than as a result of any act of such person or of disclosure in violation of this Order. In addition, nothing herein shall be construed to prevent a person from continuing to use any documents or information known to it or used by it prior to the filing of this Action or that has come or shall come into a person's possession independently of disclosure in this Action. However, no protected discovery materials shall be used except in connection with this Action pursuant to this Order.

5. This order is subject to modification or dissolution by the Court upon notice to all counsel.

6. ~~6~~ Submissions to the court containing information from protected discovery materials shall be filed under seal, with redacted copies for the public record.
7. This Order² governs any private proceedings.
8. The court may modify this Order after giving notice and an opportunity to be heard. *and 9/30/13*

Respectfully Submitted,

For Valentino Facey

/s/ Victoria E. Thavaseelan

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For Anthony Mendonsa and Sgt. R. Raymond,

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/s/ Joan T. Kennedy

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Dated: September 30, 2013

CERTIFICATE OF SERVICE

I, Matthew L. Knowles, hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent, via First-Class Mail, to those indicated as non-registered participants, on this 30th day of September, 2013.

/s/ Matthew L. Knowles